

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**CLOVIS WITT**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 3:05CV426BN**

**COMMISSIONER OF MODC, ET AL**

**DEFENDANTS**

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**FINAL JUDGMENT**

Upon due consideration of the sworn testimony and other evidence presented by the Plaintiff at the omnibus hearing conducted on February 7, 2006, as well as the applicable legal authorities,

IT IS, HEREBY, ORDERED AND ADJUDGED that the Complaint is dismissed with prejudice for the reason that it fails to state a claim upon which relief may be granted and is legally frivolous under 28 U.S.C. § 1915(e)(2)(B)(i) and (ii), and Final Judgment in favor of the Defendants is hereby entered for the reasons contained in that Memorandum Opinion and Order of this date.

IT IS SO ORDERED, this the 17<sup>th</sup> day of February, 2006.

S/ Alfred G. Nicols, Jr.  
UNITED STATES MAGISTRATE JUDGE